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EXAMINER	
ONYEZIA, CHUKS N	

ART UNIT	PAPER NUMBER
3691	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/766,863	HINDERER ET AL.	
	Examiner	Art Unit	
	CHUKS ONYEZIA	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 March 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-8,10-16,18-25,27,28 and 30-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-8,10-16,18-25, 27-28, and 30-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *20100304*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In the amendment filed 03/04/2010, applicant has made amendments to claims 1,6-7,12,16, 18-23, 27-28 and 30-34. Claims 1,2,4-8,10-16, 18-25, 27-28, and 30-34 are presented and have been considered for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1,2,4-5 and 30-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

4. Claims 1,2 and 4-5 are directed to a system however examiner can not find system components. It is still not clear to the examiner that the components recites are system components, because they can reasonably be viewed as software components.

5. As for claims 30-34 Based on Supreme Court precedent, a method/process claim must (1) be tied to machine (such as a

particular apparatus) (see at least Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780, 787-88 (1876)) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing (see at least Gottschalk v. Benson, 409 U.S. 63, 71 (1972)). A method/process claim that fails to meet one of the above requirements is not in compliance with the statutory requirements of 35 U.S.C. 101 for patent eligible subject matter. . Here the claims fails to meet the above requirements because the steps are neither tied to machine (such as a particular apparatus) nor physically transform underlying subject matter (such as an article or materials) to a different state or thing. Even though hardware is introduced in the claim's preamble, It is not clear as to which step is performed by the hardware.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 2, 4, and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is directed to a computer system while the dependent claims are directed to a credit management system. for the purpose of examination, it is being interpreted that the dependent claims are intended to be directed to a computer system.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-4, are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) in view of O'Mara et al. U.S. Patent Number 7,620,592 B2 (PTO-892 Reference H)

10. As per claim 1, Johnson teaches a computer system for managing information relating to credit of a customer computer system comprising:

a credit information manager, component which (See Johnson Col. 57 Lns 19-24);

communicates credit information with third party credit information providers (See Johnson Col. 9 Lns 1-7), and

collects credit information about the customer, wherein collecting credit information includes analyzing internal customer data, obtaining customer data from at least one business partner, monitoring credit data validity, and automatically updating credit data (See Johnson Col. 9 Lns 1-7)

a credit limit manager, component which manages credit limit master data and calculating open and used credit for said customer (Johnson Col. 9 Lns 44-54);

a credit decision support, component which performs analysis of accounting information relating to said customer (Johnson Col. 57 Lns. 25-33); and

a credit rules engine, which receives the collected credit data from the credit information manager: and applying credit rules to the credit information, the credit data received from the credit information manager, the credit limit master data and calculated open and used credit, and the accounting information

relating to said customer (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17), It is the Examiner's interpretation that the formulation of credit score and risk is a function of calculating open and used credit of a user.

However, Johnson does not explicitly disclose: generating an internal credit scoring and internal credit limit. O'Mara teaches "receives, compiles, calculates, or otherwise collects a broad range of information or data elements in various data element categories for individual merchants, such as . . . External Credit Score, Internal Credit and Fraud Score" (See O'Mara Col 7 Lns 5-15). It would have been obvious to combine the invention of Johnson with internal scoring determinations along with an associated internal limit, for the purpose of exhaustively identifying risk associated with a merchant (see O'Mara abstract). both Johnson and O'Mara don't explicitly disclose an internal credit limit, however examiner finds it to have been obvious to derive an internal credit limit from a calculated internal credit score because the credit score's value is regularly used to measure credit worthiness in the extending credit, and its typical to formulate higher limits to entities with higher scores.

11. As per claim 2, Johnson teaches the above limitations of claim 1. Johnson further teaches said credit information comprises external credit scoring (Johnson Col. 8 Lns 43-57).

12. As per claim 3, (Cancelled)

13. As per claim 4, Johnson teaches the above limitations of claim 1. Johnson further teaches said accounting information comprises sales volume information (Johnson Col. 20 Lns 58-64), dunning information (Johnson Col. 8 Lns 57-59), and payment history information (Johnson Col. 10 Lns 46-56).

14. Claims 6-10, 12-15, 27, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) in view of O'Mara et al. U.S. Patent Number 7,620,592 B2 (PTO-892 Reference H).

15. As per claim 6, Johnson teaches a method of automatically performing a credit check relating to a customer, said method being designed to be run on a computerized platform and comprising the steps of:

obtaining an external credit scoring from at least one external credit information provider (Johnson Col. 8 Lns 43-57);

obtaining information relating to calculated open and used credit for said customer;(Johnson Col. 8 Ln. 57- Col. 9 Ln. 17),

obtaining credit data about the customer (Johnson Col. 57 Lns 19-24);

applying a credit scoring rules to the credit information, the credit data received from the credit information manager, the credit limit master data, the calculated open and used credit, and the accounting information relating to said customer and storing said internal credit limit limits (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17).

However Johnson does not explicitly disclose analyzing internal customer data, obtaining customer data from at least one business partner, monitoring credit data validity, and automatically updating credit data to generate internal scoring and internal credit limits or generating an internal credit scoring and internal credit limit. What Johnson does disclose is using external score to create and internal limit. O'Mara discloses an in house multi-tier credit/risk scoring of merchants that makes use of both external scoring and internal scoring methods (See O'Mara Col 5 Lns 24-28). It would have been obvious to combine the invention of Johnson with internal scoring determinations for the purpose of exhaustively identifying risk associated with a merchant (see O'Mara abstract).

16. As per claim 7, Johnson teaches the above limitations of claim 6. Johnson further teaches said applying a credit scoring rule step comprises calculating an internal credit scoring prior to calculating said internal credit limit and utilizing said internal credit scoring to calculate said internal credit limit (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17).

17. As per claim 8, Johnson teaches the above limitations of claim 7. Johnson further teaches step of storing said internal credit scoring (Johnson Col. 8 Lns 65-67).

18. As per claim 9, (Cancelled).

19. As per claim 10, Johnson teaches the above limitations of claim 6. Johnson further teaches said accounting information comprises sales volume information (Johnson Col. 20 Lns 58-64), dunning information (Johnson Col. 8 Lns 57-59), and payment history information (Johnson Col. 10 Lns 46-56).

20. As per claim 12, Johnson teaches a method of automatically updating a customer's credit scoring, said method being designed to be run on a computerized platform and comprising the steps of:

receiving an updated external credit scoring from at least one external credit information provider (Johnson Col. 8 Lns 43-57);

storing said updated external credit scoring (Johnson Col. 8 Lns 43-57);

calculating open and used credit for said customer; storing said calculated open and used credit information (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17) examiner interprets that the sending system works on behalf of Johnsons disclosure and the calculations it performs and sends is constructively done by Johnson's system,

retrieving updated accounting information relating to said customer(Johnson Col. 57 Lns 19-24);

storing said new internal credit scoring (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17).

However Johnson does not explicitly disclose collecting credit data about the customer, wherein collecting credit data includes analyzing internal customer data, obtaining customer data from at least one business partner, monitoring credit data validity, and automatically updating credit data performing analyses of accounting information relating to said customer applying credit rules to the credit information, the credit data received from the credit information manager, the credit limit master data, the calculated open and used credit, and the accounting information relating to said customer, to generate new internal credit scoring and internal credit limits or

generating an internal credit scoring and internal credit limit. What Johnson does disclose is using external score to create and internal limit. O'Mara discloses an in house multi-tier credit/risk scoring of merchants that makes use of both external scoring and internal scoring methods (See O'Mara Col 5 Lns 24-28). It would have been obvious to combine the invention of Johnson with internal scoring determinations for the purpose of exhaustively identifying risk associated with a merchant (see O'Mara abstract).

21. As per claim 13, Johnson teaches the above limitations of claim 12. Johnson further teaches requesting said updated external credit scoring from said at least one external credit information provider (Johnson Col. 9 Lns 5-17).

22. As per claim 14, Johnson teaches the above limitations of claim 13. Johnson further teaches determining if said internal credit scoring is still valid (Johnson Col. 9 Lns 18-23);

determining if said customer is active (Johnson Col. 9 Lns 23-25); and

if said customer is not active, adding said customer to an inactive list and not updating said customer's internal credit scoring (Johnson Col. 9 Lns 25-29).

23. As per claim 15, Johnson teaches the above limitations of claim 14. Johnson further teaches if said customer is not

active, erasing a stored credit limit and credit scoring for said customer (Johnson Col. 9 Lns 24-29) examiner interprets the movement to an error log and handling service as a quarantine or erasure.

24. As per claim 27, Johnson teaches the above limitations of claim 19. Johnson further teaches a plurality of different systems may provide said accounting information (Johnson Col. 8 Lns 43-52).

25. Claim 30-32 are being rejected using logic similar to that used in the rejections of claims 6, 10and 11.

26. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pillay et al. U.S. Patent Publication No. 2002/0042763 A1 (PTO-892 Reference B).

27. As per claim 28, Pillay teaches a computer implemented method of automatically preparing a credit checklist for a service provider, and comprising the steps of:

obtaining by a computer first plurality of customer records from an accounts receivable system (see Pillay ¶ [0044]);

obtaining by a computer second plurality of customer records from a billing system (Pillay ¶ [0037]).

However Pillay does not explicitly disclose taking information relating to a predetermined percentage of customers, reporter by the account receivable system, a predetermined

percentage of customers reported by the billing system, critical customers' information, and suspicious customers' information and preparing a report there from. What Pillay does disclose is preparing a report that considers information from the billing system account receivable system critical information and suspicious information which are all embodied on the credit report (Pillay ¶ [0059] and [0066]). It would have been obvious to limit the report generation to utilizing predetermined percentages of available information for the purpose of allowing forgiveness on past adverse credit events, As an example, generating a credit report that only takes in to consideration the adverse credit events of the last two years or late payments that were more then 30 days past due.

28. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) and O'Mara et al. U.S. Patent Number 7,620,592 B2 (PTO-892 Reference H in view of Natsuno U.S. Patent Number 7,231,202 B2 (PTO-892 Reference C).

29. As per claim 5, Johnson teaches the above limitations of claim 1. However, Johnson does not teach said information input comprises customer profession and age information. Natsuno teaches this limitation (see Natsuno Col. 8 Lns. 14-25). One of

ordinary skill in the arts would have found motivation to combine these teaching for the purpose of managing credit information of system subscribers (see Natsuno Col. 6 Lns. 42-46).

30. As per claim 11, Johnson teaches the above limitations of claim 6. However, Johnson does not teach said information relating to said customer comprises profession and age information. Natsuno teaches this limitation (see Natsuno Col. 8 Lns. 14-25). One of ordinary skill in the arts would have found motivation to combine these teaching for the purpose of managing credit information of system subscribers (see Natsuno Col. 6 Lns. 42-46).

31. Claims 16, 18-25 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) and O'Mara et al. U.S. Patent Number 7,620,592 B2 (PTO-892 Reference H) in view of Mills et al. U.S. Patent Number 7,024,386 (PTO-892 Reference G).

32. As per claim 16, Johnson teaches a method of automated credit limit monitoring for a customer, said method being designed to be run on a computerized platform and comprising the steps of:

receiving accounting information, said accounting information collectively providing an indication of exposure for said customer (Johnson Col. 57 Lns. 19-24);

calculating a total exposure from said accounting information (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17);

determining if said total exposure is within a predetermined level of said credit limit or higher (Johnson Col. 9 Lns 41-62);

if said total exposure is within a predetermined level of said credit limit or higher, triggering an event for follow-up, and updating credit scoring and credit limit for said customer (Johnson Col. 9 Lns 41-62). However Johnson does not disclose wherein said accounting information comprises data relating to at least one of open items, new orders, and unbilled and billed but not posted items. Mills discloses credit limits based on new trades (see Mills Col 19 Lns 19-27). It would have been obvious to One of ordinary skill in the arts to combine these teachings for the purpose of continued monitoring credit risk.

33. As per claim 18, Johnson and Mills teach the above limitations of claim 16. Johnson further teaches setting a new validity date for said updated credit scoring and credit limit (Johnson Col. 9 Lns 8-17).

34. As per claim 19, Johnson teaches a method of automated exposure monitoring for monitoring credit exposure of a service provider, said method being designed to be run on a computerized platform and comprising the steps of:

obtaining accounting information relating to a customer (Johnson Col. 8 Lns 57-59);

calculating an accounting information total (Johnson Col. 15 Lns 27-34);

determining if said accounting information total exceeds a credit limit of said customer (Johnson Col. 9 Lns 41-62);

if said accounting information total does exceed said credit limit, triggering an event (Johnson Col. 9 Lns 41-62).

However Johnson does not disclose wherein said accounting information comprises data relating to at least one of open items, new orders, and unbilled and billed but not posted items. Mills discloses credit limits based on new trades (see Mills Col 19 Lns 19-27). It would have been obvious to One of ordinary skill in the arts to combine these teachings for the purpose of continued monitoring credit risk.

35. As per claim 20, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said event comprises storing said accounting information total (Johnson Col. 15 Lns 42-47).

36. As per claim 21, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said event comprises storing a difference between said accounting information total and said credit limit (Johnson Col. 15 Lns 42-47).

37. As per claim 22, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said method is run upon said customer placing a new order (Johnson Col. 6 Lns 1-14).

38. As per claim 23, Johnson and Mills teach the above limitations of claim 22. Johnson further teaches if said accounting information total does not exceed said credit limit, said new order is approved (Johnson Col. 9 Lns 46-51).
As per claim 24, Johnson and Mills teach the above limitations of claim 19. However, Johnson does not teach said event comprises declining said new order. Mills discloses disallowing a deal or order if there is insufficient credit (see Col. 11 Lns 1-12). It would have been obvious to combine the teachings of Johnson with Mills for the purpose of protecting from credit risk.

39. As per claim 25, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said method is run periodically (Johnson Col. 9 Lns 8-11).

40. Claim 26 (Cancelled).

41. Claim 33-34 are being rejected using logic similar to that used in the rejections of claims 19-21.

Response to Arguments

42. Applicant's arguments filed 03/04/2010 have been fully considered but they are not persuasive.

A. Applicant argues that:

Johnson does not teach the identical invention presented by applicant

Examiner responds that:

Johnson effectively discloses all the system components and claimed features. Examiner finds that the intent of claim 1 is directed to a system containing several underlying components. it is presented that the system of Johnson contains all the system components and that the components are capable of performing the same duties.

B. Applicant argues that:

Neither Johnson nor O'Mara teaches generating an internal credit scoring and internal credit limits.

Examiner responds that:

Johnson does not explicitly disclose: generating an internal credit scoring and internal credit limit. However,

O'Mara explicitly teaches "receives, compiles, calculates, or otherwise collects a broad range of information or data elements in various data element categories for individual merchants, such as . . . External Credit Score, Internal Credit and Fraud Score" (See O'Mara Col 7 Lns 5-15). both Johnson and O'Mara don't explicitly disclose an internal credit limit, however examiner finds it to have been obvious to derive an internal credit limit from a calculated internal credit score because the credit score's value is regularly used to measure credit worthiness in the extending credit, and its typical to formulate higher limits to entities with higher scores.

Conclusion

43. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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/C. O./
Examiner, Art Unit 3691

/Alexander Kalinowski/
Supervisory Patent
Examiner, Art Unit 3691